

The L A T E

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TRYAL

AND

CONVICTION

OF

Count T A R I F F.

L O N D O N:

Printed for *A. Baldwin*. near the *Oxford-Arms*
in *Warwick-Lane*, MDCCXIV.

Price Three-pence.

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Trial and Conviction
 OF
 Count *TARIFF*.

THE whole Nation is at present very inquisitive after the Proceedings in the Cause of Goodman *Fact*, Plaintiff, and Count *Tariff*, Defendant; as it was Tried on the 17th of June, in the Thirteenth Year of Her Majesty's Reign, and in the Year of the Lord 1713. I shall therefore give my Countrymen a short and faithful Account of that whole Matter. And in order to it, must in the first Place premise some Particulars relating to the Person and Character of the said Plaintiff Goodman *Fact*.

Goodman *Fact* is allowed by every Body to be a plain-spoken Person, and a Man of very few Words. Tropes and Figures are his Aversion. He affirms every Thing roundly, without any Art, Rhetorick, or Circumlocution. He is a declared Enemy to all Kinds of Ceremony and Complaisance. He flatters no Body. Yet so

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great

great is his natural Eloquence, that he cuts down the finest Orator and destroys the best-contrived Argument, as soon as ever he gets himself to be heard. He never applies to the Passions or Prejudices of his Audience: When they listen with Attention and honest Minds, he never fails of carrying his Point. He appear'd in a Suit of *English* Broad-Cloath, very Plain, but Rich. Every thing he wore was substantial, honest, home-spun Ware. His Cane indeed came from the *East-Indies*, and two or three little Superfluities from *Turkey*, and other Parts. It is said that he encouraged himself with a Bottle of Neat-Port before he appear'd at the Tryal. He was Huzza'd into the Court by several Thousands of *Weavers, Clothiers, Fallers, Dyers, Packers, Calenders, Setters, Silk-men, Spinners, Dressers, Whitsters, Winders, Mercers, Throwsters, Sugar-Bakers, Distillers, Drapers, Hosiers, Planters, Merchants, and Fishermen*; who all unanimously declared that they cou'd not live above Two Months longer, if their Friend *Fack* did not gain his Cause.

Every Body was over-joy'd to hear that the Good Man was come to Town. He no sooner made his Appearance in Court, but several of his Friends fell a weeping at the Sight of him: For indeed he had not been seen there some Years before.

The Charge he exhibited against Count *Tariff* was drawn up in the following Articles.

1. That the said Count had given in false and fraudulent Reports in the Name of the Plaintiff.

2. That the said Count had tamper'd with the said Plaintiff, and made Use of many indirect Methods to bring him over to his Party.

3. That the said Count had wilfully and knowingly traduced the said Plaintiff, having misrepresented him in many cunningly-devised Speeches, as a Person in the *French* Interest.

4. That the said Count had averred in the Presence of above Five hundred Persons, that he had heard the Plaintiff speak in Derogation of the *Portuguese, Spaniards, Italians, Hollanders*, and others; who were the Persons whom the said Plaintiff had always favoured in his Discourse, and whom he should always continue to Favour.

5. That the said Count had given a very disadvantageous Relation of Three Great Farms, which had long flourished under the Care and Superintendency of the Plaintiff.

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6. That

6. That he would have obliged the Owners of the said Farms, to buy up many Commodities which grew upon their own Lands. That he would have taken away the Labour from the Tenants, and put it into the Hands of Strangers. That he wou'd have lessen'd and destroy'd the Produce of the said Farms.

That by these and many other wicked Devices, he wou'd have starved many honest Day-Labourers ; have impoverish'd the Owner, and have fill'd his Farms with Beggars, &c.

7. That the said Count had either Sunk or Mislaidd several Books, Papers, and Receipts, by which the Plaintiff might sooner have found Means to vindicate himself from such Calumnies, Aspersions, and Misrepresentations.

In all these Particulars Goodman *Fact* was very Short but Pithy : For as I said before, he was a plain home-spun Man. His Yea, was Yea, and his Nay, Nay. He had further so much of the Quaker in him, that he never swore, but his Affirmation was as Valid as another's Oath.

It was observed, that Count *Tariff* endeavour'd to brow-beat the Plaintiff all the while he was speaking : But though he was not so
Impudent

Impudent as the Count, he was every whit as Sturdy; and when it came to the Count's Turn to speak, Old *Fact* so stared him in the Face, after his plain, down-right Way, that the Count was very often struck Dumb, and forced to hold his Tongue, in the middle of his Discourse.

More Witnesses appeared on this Occasion to attest Goodman *Fact*'s Veracity, than ever were seen in a Court of Justice. His Cause was pleaded by the Ablest Men in the Kingdom; among whom was a Gentleman of *Suffolk* who did him Signal Service.

Count *Tariff* appeared just the Reverse of Goodman *Fact*. He was dress'd in a Fine Brocade Waistcoat, curiously Embroider'd with Flower-de-Luces. He wore also a Broad-brim'd Hat, a Shoulder-Knot, and a Pair of Silver-clock'd Stockings. His Speeches were Accompanied with much Gesture and Grimace. He abounded in empty Phrases, superficial Flourishes, violent Assertions, and feeble Proofs. To be brief, he had all the *French* Assurance, Cunning, and Volubility of Tongue; and wou'd most certainly have carried his Cause, had he dealt with any one Antagonist in the World besides Goodman *Fact*.

The Count being call'd upon to Answer to the Charge which had been made against him, did it after a Manner peculiar to the Family of the *Tariffs*, viz, by Railing and calling Names.

He in the First Place accused his Adversary of *Scandalum magnatum*, and of speaking against his Superiors with Sauciness and Contempt. As the Plain Good Man was not of a Make to have any Friends at Court, he was a little startled at this Accusation, till at length he made it appear, that it was impossible for any of his Family to be either Saucy or Cringing; for that their Character was above all others in the World, to do what was required of them by the Court, that is, **TO SPEAK THE TRUTH, AND NOTHING BUT THE TRUTH.**

The Count in the next Place assured the Court, that his Antagonist has taken upon him a wrong Name, having curtail'd it of Two or Three Letters; for that in Reality his Name was not **FACT** but **FACTION**. The Count was so pleased with this Conceit, that for an Hour together he repeated it in every Sentence; calling his Antagonist's Assertions, the Reports of Faction; his Friends, the Sons of Faction; the Testimonies of his Witnesses, the

the Dictates of Faction: Nay, with such a Degree of Impudence did he push this Matter, that when he heard the Cries of above a Million of People begging for their Bread, He termed the Prayers and Importunities of such a starving Multitude the **CLAMOURS OF FACTION.**

As soon as the Count was driven out of this Device, he affirmed roundly in the Court that **FACT** was not an *Englishman* by Birth, but that he was of *Dutch* Extraction, and Born in *Holland*. In consequence of this Assertion he began to ralley the poor Plaintiff, under the Title of **MYN HEER VAN FACT**; which took pretty well with the Simpletons of his Party, but the Men of Sense did not think the Jest worth all their Lands and Tenements.

When the Count had finished his Speech, he desired leave to call in his Witnesses, which was granted: When immediately there came to the Bar a Man with a Hat drawn over his Eyes in such a manner, that it was impossible to see his Face. He spoke in the Spirit, nay in the very Language of the Count, repeated his Arguments, and confirmed his Assertions. Being ask'd his Name? He said the World called him **MERCATOR**: But as for his true Name, his Age, his Lineage, his Religion, his

his Place of Abode, they were Particulars, which for certain Reasons he was obliged to conceal. The Court found him such a False, Shuffling, Prevaricating Rascal, that they set him aside as a Person unqualify'd to give his Testimony in a Court of Justice; advising him at the same time, as he tender'd his Ears, to forbear uttering such notorious Falshoods as he had then Published. The Witness however persisted in his Contumacy, telling them he was very sorry to find, that notwithstanding what he had said, they were resolved to be as arrant Fools as all their Forefathers had been for a Hundred Years before them.

There came up another Witness, who spoke much to the Reputation of Count *Tariff*. This was a Tall, Black, Blustering Person, dressed in a *Spanish* Habit, with a Plume of Feathers on his Head, a *Golillio* about his Neck, and a long *Toledo* sticking out by his Side: His Garments were so cover'd with Tinsel and Spangles, that at a distance he seem'd to be made up of Silver and Gold. He call'd himself *DON ASSIENTO*, and mentioned several Nations that had sought his Friendship; but declared that he had been gained over by the Count; and that he was come into these Parts to enrich every one that heard him. The Court was at first very well pleased with his Figure, and the Promises he made them; but upon Examination found him

a True *Spaniard*: Nothing but Show and Beggary. For it was fully proved, that notwithstanding the Boasts and Appearance which he made, he was not worth a Great : Nay, that upon casting up his Annual Expences, with the Debts and Incumbrances which lay upon his Estate, he was worse than Nothing.

There appear'd another Witness in favour of the Count, who spoke with so much Violence and Warmth, that the Court began to listen to him very attentively ; till upon hearing his Name they found he was a notorious Knight of the Post, being kept in Pay, to give his Testimony on all Occasions where it was wanted. This was the EXAMINER ; A Person who had abused almost every Man in *England*, that deserved well of his Country. He called Goodman *Faſt* a Lyar, a Seditious Person, a Traytor, and a Rebel ; and indeed so much incens'd the Honest Man, that he would certainly have knock'd him down if he could have come at him. It was allowed by every Body, that so foul-mouth'd a Witness never appeared in any Cause. Seeing several Persons of great Eminence, who had maintained the Cause of Goodman *Faſt*, he called them Ideots, Block-heads, Villains, Knaves, Infidels, Atheists, Apostates, Fiends, and Devils : Never did Man show so much Eloquence in Ribaldry. The Court was at length so justly provok'd with this Fellow's
Be-

Behaviour, who spared no Age, nor Sex, nor Profession, which had shown any Friendship or Inclination for the Plaintiff, that several began to Whisper to one another, it was high time to bring him to Punishment. But the Witness over-hearing the Word *Pillory* repeated twice or thrice, slunk away privately, and hid himself among the People.

After a full Hearing on both Sides, Count *Tariff* was cast, and Goodman *Faſt* got his Cause; but the Court sitting late, did not think it fit at that time to give him Costs, or indeed, to enter into that Matter. The Honest Man immediately retired, after having assured his Friends, That at any time when the Count shou'd appear on the like Occasion, he would undertake their Defence, and come to their Assistance, if they would be at the Pains to find him out.

It is incredible, how general a Joy Goodman *Faſt*'s Success created in the City of *London*; there was nothing to be seen or heard the next Day, but shaking of Hands, Congratulations, Reflections on the Danger they had escap'd; and Gratitude to those who had delivered them from it.

The Night concluded with Balls, Bonfires, Ringing of Bells, and the like Publick Demonstrations of Joy.

F I N I S.

LONDON, July 28.

S I R,

Liberty is so invaluable a Jewel, and so much the
 Birthright of every Englishman, as well as
 the Glory of the present Reign, that 'tis not doub-
 ed you'll so far approve of the inclos'd, as to incert
 it, it being the Copy of an Epilogue in Praise of
 Liberty, pronounc'd with wonderful Applause at
 a late Dramatick Performance of several young
 Gentlemen, who for their own D^y Acted the
 Play call'd Julius Cæsar.

Wonder no more Gr
 Nor Brutus stro:
 Mankind's oblig'd
 His noblest bo
 How vile's tl
 Who dares n

Nor in h
 'Tis pit
 Shou

Such to the Parent Monarch Reverence pay,
 His just Commands most willingly obey,
 But scorn those Scepters which the Tyrants sway.
 Mountains of murder'd Heroes bury'd lye,
 Beneath the Column of our Liberty.
 You Britain's, who this Liberty enjoy.
 Oh! keep it safe, do not your selves destroy:
 Our Fathers kept the spotless Virgin chaste,
 The Monument of their Immortal Actions past:
 Our Fathers Blood this Promise does require:
 That we shou'd hand it down again entire:
 Posterity shou'd curse us in our Graves,
 If our selves, shou'd leave 'em Slaves.
 And every Passive Slave,
 In the narrow Circle of his Grave;
 The best Gift to Men,
 Thro' ev'ry Vein;
 This Gift Maintain.

